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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,163	11/12/2003	Stephen P. Fenton	V2002066	7568

7590 09/14/2004

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EXAMINER
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BEACH, THOMAS A

ART UNIT	PAPER NUMBER
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3671

DATE MAILED: 09/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/706,163

Applicant(s)

FENTON ET AL.

Examiner

Thomas A Beach

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.  
4a) Of the above claim(s) 11-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4-10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/12/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-10, drawn to method of completing a plurality of wells with a floating platform, classified in class 166, subclass 369.
  - II. Claims 11-16, drawn to method of completing a plurality of wells with a floating platform with a perforating gun, classified in class 166, subclass 297.
  - III. Claim 17, drawn to method of producing a well with a separator and flowline jumper, classified in class 166, subclass 357.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I and II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the combination does not require the use of a perforating gun to complete the plurality of well. The subcombination has separate utility such as perforating gun in order to cut wellbore casings.
3. Inventions I and III are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of

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operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions are not related since completing a plurality of wells does not require the fluid separator, thus unrelated in function.

4. Inventions II and III are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions not related since the perforating gun and the fluid separator are unrelated in function.

5. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

6. During a telephone conversation with James Bradley on 08/12/04 a provisional election was made with traverse to prosecute the invention I, claims 1-10. Affirmation of this election must be made by applicant in replying to this Office action. Claims 11-17 withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

7. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

***Information Disclosure Statement***

8. The information disclosure statement filed 11/12/03 includes US patent applications but no copies have been supplied; therefore, that information referred to therein has not been considered as to the merits.

***Specification***

9. The abstract of the disclosure is objected to because it includes grammatical errors and incomplete sentences. Correction is required. See MPEP § 608.01(b).

***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Silcox 4,625,806. Silcox shows a method of drilling and completing a plurality of subsea wells having a floating platform (col. 1, lines 22-57), connecting a drilling riser 143 to a first wellhead housing, drilling (fig. 2) and casing a first well (fig. 3), then running a string of tubing 143 and landing a tubing hanger 122 in the first wellhead housing (fig. 5); with the floating platform, disconnecting the drilling riser from the first wellhead housing, connecting the drilling riser 137 to a second wellhead housing, and performing

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operations on a second well (col. 4, lines 52-55); and while performing at least part of step (b), lowering a production tree 130 on a lift line 104 from the same floating platform and connecting the tree to the first wellhead housing (fig. 8). As concerns claim 3, shows step (a) further comprises perforating the first well and setting a plug within the tubing hanger (col. 4, lines 47-52).

12. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Scott 6,085,851. Scott shows a method of drilling and completing a plurality of subsea wells having a floating platform 30, connecting a drilling riser (col. 5, lines 54-64) to a first wellhead housing, drilling and casing a first well, then running a string of tubing and landing a tubing hanger in the first wellhead housing (inherent to Scott as disclosed methods of drilling/completing wells; col. 4, line.54-61); with the floating platform, disconnecting the drilling riser from the first wellhead housing, connecting the drilling riser to a second wellhead housing, and performing operations on a second well (figures 9-16); and while performing at least part of step (b), lowering a production tree 1 on a lift line from the same floating platform and connecting the tree to the first wellhead housing (col. 12, lines 25-41). As concerns claim 2, Scott shows that during step (a) a derrick 40 of the platform is located over the first wellhead housing; the platform is moved from the position in step (a) after the drilling riser is disconnected to position the derrick above the second wellhead housing, and step (c) is performed simultaneously from the platform while performing operations on the second well (col. 8, lines 60-67).

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***Allowable Subject Matter***

13. Claims 4-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A Beach whose telephone number is 703.305.4848. The examiner can normally be reached on Monday-Thursday, 8:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Will can be reached on 703.308.3870. The fax phone numbers for the organization where this application or proceeding is assigned are 703.872.9306 or 703.872.9306 for regular communications and 703.872.9306 for After Final communications.

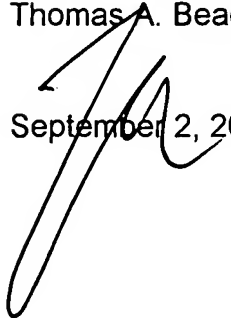
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.306.4198.

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Thomas A. Beach

September 2, 2004

A handwritten signature in black ink, appearing to be 'T. Beach', written over the date 'September 2, 2004'.